

The Gazette



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PART IV

Act of the Dominion Legislature assented to by the Governor General

GOVERNMENT OF INDIA

MINISTRY OF LAW

New Delhi, the 10th February, 1949

The following Acts of the Dominion Legislature received the assent of the Governor-General on the 16th February, 1949 and are hereby published for general information:—

ACT No. III OF 1949

An Act further to amend the Indian Emigration Act, 1922.

WHEREAS it is expedient further to amend the Indian Emigration Act, 1922 (VII of 1922), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Indian Emigration (Amendment) Act, 1949.

2. Amendment of section 1, Act VII of 1922.—For sub-section (2) of section 1 of the Indian Emigration Act, 1922 (hereinafter referred to as the said Act), the following shall be substituted, namely:—

“(2) It extends to the whole of India”

3. Amendment of section 31, Act VII of 1922.—In section 31 of the said Act, for clause (i), the following shall be substituted, namely:—

“(i) any person who is not of Indian parentage,”

4. Amendment of certain sections of Act VII of 1922.—In sections other than section 1 of the said Act, for the words “the Provinces”, wherever they occur, the word “India” shall be substituted

ACT No. IV OF 1949

An Act to apply the law in force in the United Provinces relating to the United Provinces Provincial Armed Constabulary to members of the said Constabulary when serving outside the United Provinces

WHEREAS it is expedient to apply the law in force in the United Provinces relating to the United Provinces Provincial Armed Constabulary to members of the said Constabulary when serving outside the United Provinces;

It is hereby enacted as follows:—

1. Short title and extent.—(1) This Act may be called the United Provinces Provincial Armed Constabulary (Extension of Laws) Act, 1949.

(2) It extends to all the Provinces of India.

2. Application of United Provinces law to members of the United Provinces Provincial Armed Constabulary serving outside the United Provinces.—The provisions of any law for the time being in force in the United Provinces relating to the Provincial Armed Constabulary raised in the United Provinces shall apply to and in relation to members of the said Constabulary when serving in any Province other than the United Provinces as they apply to and in relation to members of the said Constabulary within the United Provinces.

3. Repeal of Ordinances XVII of 1942 and XXX of 1948.—The United Provinces Special Armed Constabulary Act (Extension) Ordinance, 1942 (XVII of 1942) and the United Provinces Provincial Armed Constabulary (Extension of Laws) Ordinance, 1948 (XXX of 1948) are hereby repealed.

ACT No. V OF 1949

An Act to amend the Protective Duties Act, 1946

WHEREAS it is expedient to amend the Protective Duties Act, 1946 (XVII of 1946), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Protective Duties (Amendment) Act, 1949.

2. Amendment of section 1, Act XVII of 1946.—In sub-section (3) of section 1 of the Protective Duties Act, 1946, for the figures "1949" the figures "1951" shall be substituted.

ACT No. VI OF 1949

An Act to amend the Public Debt (Central Government) Act, 1944.

WHEREAS in pursuance of section 108 of the Government of India Act, 1935 (26 Geo. 5, c. 2), resolutions have been passed by all the Chambers of all the Provincial Legislatures to the effect that certain matters relating to the public debt of the Provinces, namely, the consolidation and amendment of the law relating to securities issued by the Provincial Governments and the management by the Reserve Bank of India of the public debt of the Provinces, should be regulated by Act of the Dominion Legislature;

AND WHEREAS in consequence thereof it is necessary to amend the Public Debt (Central Government) Act, 1944 (XVIII of 1944), for the purpose of making its provisions also applicable to securities issued by the Provincial Governments;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Public Debt (Central Government) Amendment Act, 1949.

(2) It shall come into force on the 1st day of April, 1949.

2. Amendment of long title and preamble, Act XVIII of 1944.—In the Public Debt (Central Government) Act, 1944 (hereinafter referred to as the said Act), in the long title and the preamble, the words "issued by the Central Government", in both places where they occur, shall be omitted, and for the words "of the Central Government", in both places where they occur, the words "of the Dominion and the Provinces" shall be substituted.

3. Amendment of section 1, Act XVIII of 1944.—In sub-section (1) of section 1 of the said Act, the words and brackets "(Central Government)" shall be omitted.

4. Amendment of section 2, Act XVIII of 1944.—In section 2 of the said Act—

- (i) after clause (1), the following clause shall be inserted, namely:—
 ‘(1A) “the Government”, in relation to any Government security, means the Central or Provincial Government issuing the security;’; and
- (ii) in clause (2) after the words “Central Government”, in both places where they occur, the words “or a Provincial Government” shall be inserted.

5. Amendment of section 3, Act XVIII of 1944.—In sub-section (1) of section 3 of the said Act, for the words “made after the commencement of this Act” the following shall be substituted, namely:—

“which, in the case of a security issued by the Central Government, is made after the 30th day of April, 1946, and in the case of a security issued by a Provincial Government, is made after the 31st day of March, 1949”.

6. Substitution of “the Government” for “the Central Government” in certain sections of Act XVIII of 1944.—In clause (b) of sub-section (1) of section 3, sub-section (1) of section 5, section 6, sub-section (3) of section 11, section 13, section 19, section 23, section 24, section 25 and clause (k) of sub-section (2) of section 28 of the said Act, for the words “the Central Government”, wherever they occur, the words “the Government” shall be substituted.

7. Amendment of section 17, Act XVIII of 1944.—In section 17 of the said Act, for the words “the official Gazette” the words “the Gazette of India or the official Gazette of the Province, according as the notice relates to a security, issued by the Central Government or a Provincial Government” shall be substituted.

ACT No. VII OF 1949

An Act to provide for the control of the transfer of certain securities and for the issue of duplicate securities in respect thereof.

WHEREAS it is expedient to provide for the control of the transfer of certain securities and for the issue of duplicate securities in respect thereof;

It is hereby enacted as follows:—

1. Short title.—This Act may be called the Scheduled Securities (Hyderabad) Act, 1949.

2. Definitions.—In this Act,—

- (i) “Bank” means the Reserve Bank of India;
- (ii) “scheduled security” means any Government security specified in the Schedule to this Act, but does not include any duplicate security issued under the provisions of section 4;
- (iii) “transfer”, in relation to a scheduled security, includes the transfer of any interest in the scheduled security.

3. Title to scheduled security not affected by previous transfers.—The Bank shall not, without the approval in writing of the Central Government, recognise for any purpose any transfer of a scheduled security otherwise than to the Government of Hyderabad made or purported to have been made before the 31st day of December, 1948, and notwithstanding any transfer so made or purported to have been so made and notwithstanding anything contained in any law for the time being in force, the scheduled security shall be deemed to be, and always to have been, vested in the Government of Hyderabad.

4. Issue of duplicate securities.—(1) Notwithstanding anything contained in any law for the time being in force, the Bank shall issue to the Government of Hyderabad duplicate securities payable to that Government in lieu of the scheduled securities as if such securities had been lost, and such duplicate securities shall have the same effect as if they had been issued under section 11 of the Public Debt (Central Government) Act, 1944 (XVIII of 1944).

(2) On the issue of duplicate securities under sub-section (1), all rights or remedies vested in or enforceable by any person in respect of the scheduled securities, in lieu of which such duplicate securities have been issued, shall be deemed to be extinguished.

(3) The Bank shall impound all scheduled securities which are or have been presented to it and cancel the same.

5. Bar of jurisdiction.—No suit or other legal proceeding for the enforcement of any rights or remedies in respect of any scheduled security shall be instituted in any Court save with the previous consent of the Central Government.

6. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government, the Bank or any person for anything done or intended to be done in good faith in pursuance of the provisions of this Act.

7. Repeal of Ordinance XXXVII of 1948.—(1) The Scheduled Securities (Hyderabad) Ordinance, 1948 (XXXVII of 1948), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 31st day of December, 1948.

THE SCHEDULE

[See section 2(ii)]

SCHEDULED SECURITIES

Serial No.	Denomination, form and number of security	Amount
1	3 % Funding Loan, 1966—68—	Ra.
	Stock Certificate Nos. BY 0021-3 (3 × 50,00,000)	1,50,00,000
	Do. No. BY 0034	50,00,000
	Do. Nos. BY 0087-93 (7 × 50,00,000)	3,50,00,000
	Do. Nos. BY 0095-99 (5 × 50,00,000)	2,50,00,000
	Do. No. BY 0158	50,00,000
	Do. No. BY 0137	30,00,000
	Do. Nos. BY 0125-6 (2 × 10,00,000)	20,00,000
	Do. No. BY 0148	25,00,000
	Do. Nos. BY 0160-2 (3 × 25,00,000)	75,00,000
2	3 % First Development Loan, 1970—75—	
	Stock Certificate Nos. BY 1084-92 (9 × 5,00,000)	45,00,000
	Do. Nos. BY 1185-95 (11 × 5,00,000)	55,00,000
	Do. Nos. BY 0754-73 (20 × 5,00,000)	1,00,00,000
	Do. Nos. BY 0892-4 (3 × 5,00,000)	15,00,000
	Do. Nos. BY 0895-006 (12 × 5,00,000)	60,00,000
	Do. Nos. BY 1072-7 (6 × 5,00,000)	30,00,000
	Do. Nos. BY 1214-21 (8 × 5,00,000)	40,00,000
	Do. Nos. BY 1236-9 (4 × 5,00,000)	20,00,000
	Do. Nos. BY 1246-53 (8 × 5,00,000)	40,00,000
	Do. Nos. BY 1283-91 (9 × 5,00,000)	45,00,000
	Do. No. BY 1339	5,00,000

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Serial No.	Denomination, form and number of security		Amount
Stock Certificate	Nos.	BY 1364-7 (4 × 5,00,000)	20,00,000
Do.	Nos.	BY 1393-4 (2 × 5,00,000)	10,00,000
Do.	Nos.	BY 1396-402 (7 × 5,00,000)	35,00,000
Do.	Nos.	BY 1419-21 (3 × 5,00,000)	15,00,000
Do.	Nos.	BY 1433-40 (8 × 5,00,000)	40,00,000
Do.	Nos.	BY 1442-5 (4 × 5,00,000)	20,00,000
Do.	Nos.	BY 1467-9 (3 × 5,00,000)	15,00,000
Do.	Nos.	BY 1477-81 (5 × 5,00,000)	25,00,000
Do.	Nos.	BY 1503-4 (2 × 5,00,000)	10,00,000
Do.	No.	BY 1506	5,00,000
Do.	Nos.	BY 1508-59 (52 × 5,00,000)	2,60,00,000
Do.	Nos.	BY 1568-78 (11 × 5,00,000)	55,00,000
Do.	Nos.	BY 1581-3 (5 × 5,00,000)	25,00,000
Do.	No.	BY 1593	5,00,000
Do.	No.	BY 1245	2,00,000
Do.	No.	BY 1213	3,00,000
Total			20,00,00,000

K. V. K. SUNDARAM, Secy.

